



The 2002 Annual Meeting of the California Tax Bars

Loews Coronado Bay Resort, San Diego

November 1-3, 2002

Up to 14.5 Hours MCLE
and Up to 14.5 Hours
Legal Specialization and CPE Credit

*The State Bar of California and Taxation Section are
State Bar of California MCLE Approved Providers*

October 8, 2002
Hotel Reservation Deadline

October 25, 2002
Pre-Registration Deadline



The 2002 Annual Meeting of the California Tax Bars

Presented by

The Taxation Section of the State Bar of California

In Association with the State Bar Education Foundation and the Taxation Sections of

Beverly Hills Bar Association, Contra Costa County Bar Association, Marin County Bar Association, Orange County Bar Association, San Diego County Bar Association, and the Bar Association of San Francisco.

SPECIAL THANKS AND RECOGNITION TO THE FOLLOWING FOR THEIR FINANCIAL SUPPORT:

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Rodriguez, Horii & Choi

Law Offices of Rowland and Franceschini

Thelen Reid & Priest LLP

Sideman & Bancroft LLP

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Golbert & Associates

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Loeb & Loeb LLP

Luce Forward Hamilton & Scripps LLP

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Law Offices of Robert W. Wood

PROGRAM HIGHLIGHTS

You are invited to the Annual Meeting of the California Tax Bars, November 1-3 at the Loews Coronado Bay Resort, San Diego. Hosted by the Taxation Section of the State Bar of California, in Association with the tax sections of Beverly Hills Bar Association, Contra Costa County Bar Association, Marin County Bar Association, Orange County Bar Association, San Diego County Bar Association, and the Bar Association of San Francisco.

The Annual Meeting offers an opportunity to develop your professional skills and stay current on issues affecting your practice and join your colleagues and government officials for festive networking opportunities throughout the weekend, including Friday night's reception and Committee sponsored dinners and Saturday's luncheon and evening Casino night. Saturday's luncheon features keynote address by Nina E. Olson, The National Taxpayer Advocate and the presentation of the V. Judson Klein Award to Karen L. Hawkins and Joanne M. Garvey Award to Melvin S. Spears.

The Tax Annual Meeting is an intensive and cost effective two and one-half days of seminars. Select from thirty cutting edge programs focusing on a variety of tax practice areas.

TICKETED EVENTS

The Prado at Balboa Park Dinner \$60—Friday, November 1 (sponsored by the Tax Procedure and Litigation Committee). All are welcome. Special shuttle buses will be provided for the quick trip across the bay.

Casino Night with the Tax Bar \$40—Saturday, November 2 Venture off to the Taste of Monte Carlo Casino at the Loews Coronado Bay Resort. Mix with fellow "High Rollers" at this action packed casino night of fun! Professional and friendly dealers will ensure you get a taste of authentic casino style gambling, tips for the novice players and dancing. Take your chances on real casino style games and enjoy occasional payback with exciting raffle prize drawings. It's a real win-win! Ticket includes light dinner and dancing.

Committee Lunches \$20—Friday, November 1 Committees of the Taxation Law Section will hold informal lunches for members to meet each other and discuss committee business and activities.

Luncheon (Keynote/Award) \$35—Saturday, November 2 The luncheon features keynote address by Nina E. Olson, and the presentation of the V. Judson Klein Award and Joanne M. Garvey Award.

COMMITTEE MEETINGS

Taxation Section committees will hold informal luncheons with member participation.

Key federal government representatives from Washington D.C. will speak on the Federal Legislative and Procedural Roundtables. State and Local Roundtables will consist of speakers from FTB, SBE and State Controller's office on the Federal Legislative and Procedural Roundtables.

LIST OF PROGRAMS BY COMMITTEE

CORPORATE TAX/CORPORATE TAX COUNSEL COMMITTEE

- [#1] Tax Issues for Troubled Companies
- [#28] Changes in the Accounting Industry; Impacts on Corporate Tax Practice
- [#12] Choice of Entity in the International Context: Important Tax Consequences Arising from Permanent Establishments
- [#18] The Storm Around Tax Shelters Are My Clients Targets? Am I?

ESTATE & GIFT TAX COMMITTEE

- [#2] Current Developments in Transfer Tax Laws
- [#5] GST Planning After the 2001 Tax Act - Tips and Traps
- [#9] Effective Entity-Based Planning and Pitfalls -Making Planning Work
- [#10] Tax and Estate Planning for the Elderly and Disabled
- [#19] Effectively Guiding Your Clients Through a Trust Administration
- [#22] Preparation of the 706
- [#14] How to Create Zero Estate Tax Plans For Estates From 1 to 10 Million Dollars Through the Use of Charitable Trusts
- [#29] Advanced Planning with Retirement Benefits

INCOME AND OTHER

- [#16] Update on Income Taxes / Federal Legislative Roundtable
- [#13] Compensating the Executive in a Volatile Stock Market
- [#15] Navigating the Stormy Seas of the Criminal Search Warrant: Keeping the Client and You From Drowning
- [#18] The Storm Around Tax Shelters Are My Clients Targets? Am I?
- [#24] Trouble in Tax Land: the Practitioner's Liability for False Information Provided by the Client

INCOME AND OTHER (continued)

- [#11] Going to Sleep as Tenants in Common and Waking Up as Business Partners: When Do You Cross the Line?
- [#27] Tax Issues in Divorce

INTERNATIONAL TAX

- [#17] Coming To and Going From America: Professional Planning and Coordination for Immigration and Expatriation
- [#12] Choice of Entity in the International Context: Important Tax Consequences Arising from Permanent Establishments
- [#6] Structuring Nonresident Alien Investment in U. S. Real Property
- [#8] Principles of United States and Foreign Tax Law Applicable to International Business Transactions (using the U.S.-Japan and U.S.-U.K Treaties)
- [#20] U.S. Tax Planning for the Cross-Border Services of Executives, Entertainers, Athletes and Other Service Providers

STATE & LOCAL TAX

- [#3] Sales Tax Markup Audits - Did I Really Make That Much Profit?
- [#21] Property Tax Exemption for Non-profits: Overview and Current Topics
- [#25] State and Local Tax Roundtable

TAX EXEMPT ORGANIZATIONS

- [#21] Property Tax Exemption for Non-profits: Overview and Current Topics
- [#23] What Lawyers Representing For Profits Should Know When a Nonprofit is on the Other Side of the Bargaining Table

TAX PROCEDURE AND LITIGATION

- [#3] Sales Tax Markup Audits - Did I Really Make That Much Profit?
- [#15] Navigating the Stormy Seas of the Criminal Search Warrant: Keeping the Client and You From Drowning
- [#7] Information Sharing Among Tax Agencies and Interstate Enforcement of Tax Debts: Just How Long is the Long Arm of the Law, Anyway?
- [#26] Caselaw Developments in Due Process and Innocent Spouse
- [#24] Trouble in Tax Land: the Practitioner's Liability for False Information Provided by the Client
- [#30] Federal Procedural Roundtable

TAX POLICY, PRACTICE AND LEGISLATION

- [#18] The Storm Around Tax Shelters: Are My Clients Targets? Am I?
- [#24] Trouble in Tax Land: the Practitioner's Liability for False Information Provided by the Client

YOUNG TAX LAWYERS

- [#11] Going to Sleep as Tenants in Common and Waking Up as Business Partners: When Do You Cross the Line?
- [#20] U.S. Tax Planning for the Cross-Border Services of Executives, Entertainers, Athletes and Other Service Providers
- [#8] Principles of United States and Foreign Tax Law Applicable to International Business Transactions (using the U.S.-Japan and U.S.-U.K Treaties)

PASS-THROUGH ENTITIES

- [#11] Going to Sleep as Tenants in Common and Waking Up as Business Partners: When Do You Cross the Line?
- [#18] The Storm Around Tax Shelters: Are My Clients Targets? Am I?
- [#1] Tax Issues for Troubled Companies
- [#4] TIC v. Partnership: Understanding Revenue Procedure 2002-22
- [#12] Choice of Entity in the International Context: Important Tax Consequences Arising from Permanent Establishments

TAXATION EXECUTIVE COMMITTEE

- [#16] Update on Income Taxes / Federal Legislative Roundtable
- [#15] Navigating the Stormy Seas of the Criminal Search Warrant: Keeping the Client—and You—from Drowning
- [#25] State and Local Tax Roundtable
- [#30] Federal Procedural Roundtable

CONFERENCE SCHEDULE

FRIDAY, NOVEMBER 1

12:00 p.m. 1:15 p.m.
Committee Luncheon
Meetings
(ticketed event #20)

1:30 p.m. - 6:30 p.m.
Education Courses

6:15 p.m. - 7:30 p.m.
Reception

7:30 p.m. -10:00 p.m.
The Prado at Balboa Park
Dinner
(ticketed event \$60)

SATURDAY, NOVEMBER 2

7:30 a.m. - 8:30 a.m.
Committee Meetings &
Continental Breakfast

8:45 a.m. - 12:00 p.m.
Education Courses

SATURDAY, NOVEMBER 2 (continued)

12:00 p.m. - 2:00 p.m.
Luncheon featuring
Keynote Speaker and
awards ceremony
(ticketed event \$35)

2:15 p.m. -6:00 p.m.
Education Courses

7:00 p.m. - 11:00 p.m.
Casino Night with the
Tax Bar
(ticketed event \$40)

SUNDAY, NOVEMBER 3

7:45 a.m. - 8:45 a.m.
Continental Breakfast

8:45 a.m. - 12:00 p.m.
Education Courses

12:00 p.m.
Conference Adjourns

GOVERNMENT SPEAKERS

NINA E. OLSON

The National Taxpayer Advocate

HON. STEPHEN J. SWIFT

United States Tax Court

HON. THOMAS J. WHELAN

United States District Court, Southern District of CA

LISA RYDLAND

Tax Counsel, Committee on Ways and Means

CHARLES W. MORRIS

Estate & Gift Territory 5 Manager, IRS

VIRGINIA ADAMS

Group Manager, IRS

MARCY JO MANDEL

Deputy Controller, Taxation, Office of the State
Controller

MARY ANN ALONZO

Tax Counsel, California State Board of Equalization

RICHARD SPEIER

Director, Field Operations – Pacific Area
Criminal Investigation Division
Internal Revenue Service

ROBERT E. BRAZZIL

Industry Director
Retailers, Food, Pharmaceuticals and Healthcare, LMSB
Internal Revenue Service

TIMOTHY W. BOYER

Chief Counsel, State Board of Equalization

JOHN W. DAVIES

Chief Counsel, Franchise Tax Board

WENDI HORWITZ

Deputy Attorney General, California Attorney
General's Office

GLORIA OROZCO

Territory Manager, Compliance
Internal Revenue Service

DENISE RUBIN

Internal Revenue Service, Criminal
Investigation Division

PHILIP HALPERN

Assistant U.S. Attorney



FRIDAY, NOVEMBER 1, 2002

12:00 to 1:15 p.m. **COMMITTEE LUNCHESES** – Ticketed Event \$20
Corporate Tax Committee and Pass-Through Entities
Estate and Gift Tax Committee
Tax Procedure and Litigation Committee

CONCURRENT PANELS

1:30 p.m. - 3:00 p.m. **Tax Issues for Troubled Companies**
[#1] (1.5 hours MCLE, Legal Specialization and CPE Credit)
Co-sponsored by Corporate Tax and Pass-Through Entities
In light of recent historic bankruptcy filings and the demise of the dot-coms, this program will review selected issues in bankruptcy taxation and debt restructuring.
Speakers: **Karrie L. Bercik**, Bercik & Roberts, LLP, San Francisco
 Mark S. Wallace, Stutman, Treister & Glatt, Los Angeles

1:30 p.m.- 3:30 p.m. **Current Developments in Transfer Tax Laws**
[#2] (2 hours MCLE, Legal Specialization and CPE Credit)
Sponsored by Estate and Gift Tax
A summary of the developments from the past year, including key decisions, regulations and rulings, as well as legislative developments since passage of the so-called "Estate Tax Repeal".
Speakers: **Kim Marois**, Law Offices of Kim Marois, Santa Rosa
 Lisa Rydland, Tax Counsel, Committee on Ways and Means, Washington D.C.
 Timothy L. Hanford, Clark/Bardes Consulting, Washington D.C.

[#3] **Sales Tax Markup Audits - Did I Really Make That Much Profit??**
(2 hour MCLE, Legal Specialization and CPE Credit)
Co-sponsored by State & Local Tax and Tax Procedure and Litigation
An exploration of sales and use tax markup audits: why and when are markup audits necessary; anatomy of a markup audit; establishing the mark-up; establishing the percentage of error; applying the percentage of error to the audit periods; under standing markup audit reports and markup audit strengths and weaknesses.
Speakers: **David M. Kirsch**, Esq., San Jose
 Paul Nelson, Sales & Use Tax Advisors of California, Orangevale

3:45 p.m. - 4:45 p.m. **TIC v . Partnership: Understanding Revenue Procedure 2002-22**
[#4] (1 hour MCLE, Legal Specialization and CPE Credit)
Co-sponsored by Pass-Through Entities
Revenue Procedure 2002-22 sets forth the requirements to obtain a ruling from the IRS that an undivided fractional interest in real estate isn't a business entity. Although this guidance was directed at sponsors of tenancy in common programs for 1031 exchanges, it provides insight into distinguishing between tenants in common arrangements and partnerships.
Speakers: **Phil Jelsma**, Luce, Forward, Hamilton & Scripps LLP, San Diego

[#5] **GST Planning After the 2001 Tax Act - Tips and Traps**
(1 hour MCLE, Legal Specialization and CPE Credit)
Sponsored by Estate and Gift Tax
This program will review generation-skipping transfer tax (GSTT) planning strategies in light of the 2001 Tax Act. The program will discuss practical issues related to GSTT planning and the associated "traps".
Speaker: **Jeffrey K. Eisen**, Mitchell, Silberberg & Knupp, Los Angeles

[#6] **Structuring Nonresident Alien Investment in U. S. Real Property**
(1 hour of MCLE, Legal Specialization and CPE Credit)
Sponsored by International Tax
How should nonresidents buy, hold, and sell U. S. real property for maximum tax efficiency? The tax considerations are frequently conflicting: a good estate tax planning answer sometimes gives a poor income tax result. This program gives an overview of the different structures for NRA ownership of U. S. real property, both investment and personal residence, and is geared for the practitioner who has limited exposure to foreign tax issues. Coverage of issues specific to Canadian investors is included.
Speaker: **Philip D. W. Hodgen**, Philip D. W. Hodgen, A Professional Corporation, Pasadena
 Sandra A. Wilkinson, Philip D. W. Hodgen, A Professional Corporation, Pasadena

**5:00 p.m. - 6:00 p.m. Information Sharing Among Tax Agencies and Interstate Enforcement of Tax Debts:
Just How Long is the Long Arm of the Law, Anyway?**

[#7]

(1 hour of MCLE, Legal Specialization and CPE Credit)

Sponsored by Tax Procedure and Litigation

A discussion of two closely related topics, information sharing and interstate enforcement of tax debts. The speaker will address the following questions: Is information in the possession of one tax agency automatically in the possession of all others? Why might this be significant? What procedures are used to enforce tax debts against taxpayers who no longer live in, have property in or have income originating from California? Finally, what are the ethical considerations implicit in advising a client who is now out-of-state on the likelihood of enforcement?

Speaker: **Edward T. Perry**, The Law Office of Edward T. Perry, Walnut Creek

Principles of United States and Foreign Tax Law Applicable to International Business Transactions (using the U.S.-Japan and U.S.-U.K Treaties)

[#8]

(1 hour of MCLE, Legal Specialization and CPE Credit)

Co-sponsored by International Tax and Young Tax Lawyers

A discussion of substantive law rather than the procedural mechanics of filing, enforcement, and compliance. Topics to be presented include: classes of taxpayers, the classification of foreign taxpayers under tax conventions and the treaty concepts of "fixed base"; source-of-income rules in tax treaties; the effect of treaties vis-a-vis the imposition of tax; the special regime applicable to non-permanent residents (e.g., payments in Japan and remittances from abroad); and the Tax Convention with the United States, including recent developments.

Speaker: **Michael R.E. Sanders**, Sanders, Yeomans & Goodwin, LLP, Seattle, WA
Bryant Turner, Ernst & Young, Los Angeles

5:00 p.m. - 6:30 p.m. Effective Entity-Based Planning and Pitfalls -Making Planning Work!

[#9]

(1 hour MCLE, Legal Specialization and CPE Credit)

Sponsored by Estate and Gift Tax

Pass-through and trust entity planning must involve client communication, careful structuring and operation of the program, and yet there are still risks of audit and tax litigation. The speakers will consider in the panel presentation the recent tax developments, and their impact on use of FLPs, LLCs and S corporations in planning to maximize wealth preservation.

Speakers: **Owen G. Fiore**, The Fiore Law Group, San Jose
Charles W. Morris, Esq., Estate & Gift Territory 5 Manager, IRS, Santa Ana

6:15 p.m. - 7:30 p.m. Cocktail Reception for all Attendees

Please indicate your attendance on the registration form.

7:30 p.m. - 10:00 p.m. Dinner at The Prado at Balboa Park – Ticketed Event \$60

(Sponsored by the Tax Procedure & Litigation Committee)

SATURDAY, NOVEMBER 2, 2002

7:30 a.m. - 8:30 a.m. Continental Breakfast & MCLE Sign-in

Please indicate your attendance on the registration form.

7:30 a.m. - 8:30 a.m. Committee Meetings

State & Local Committee

International Tax Committee

Income & Other Tax Committee

CONCURRENT PANELS

8:45 a.m. - 9:45 a.m. Tax and Estate Planning for the Elderly and Disabled

[#10]

(1 hour of MCLE, Legal Specialization and CPE Credit)

Sponsored by Estate and Gift Tax

An overview of the public programs and private planning that can enhance the quality of life for the elderly. Public benefit programs are a tangled web of confusion. Emphasis will be on public benefit programs, estate planning, Medi-Cal planning after OBRA '93, including protection of the family home. Also included will be techniques for integrating estate and gift tax planning with asset preservation to ensure the client's eligibility for government benefits for long term care.

Speaker: **Barbara D. Bergstein**, Burgh, Balian and Bergstein, Sherman Oaks

- [#11] **Going to Sleep as Tenants in Common and Waking Up as Business Partners: When Do You Cross the Line?**
(1 hour of MCLE, Legal Specialization and CPE Credit)
Co-sponsored by Income and Other Taxes, Pass-Through Entities and Young Tax Lawyers
Many tax consequences arise when the owners of property are considered, by law, to have embarked unintentionally on a joint business venture, as opposed simply to preserving an asset. These consequences include restrictions on disposing of the asset, as well as complex rules concerning the relationship between the putative partners. This presentation will examine the caselaw which defines when the line is crossed, as well as the consequences thereof.
Speakers: **Curt Harrington**, Esq., Long Beach
Suzanne Anastasio, Sacramento
- [#12] **Choice of Entity in the International Context: Important Tax Consequences Arising from Permanent Establishments**
(1 hour of MCLE, Legal Specialization and CPE Credit)
Co-sponsored by International Tax, Pass-Through Entities and Corporate Tax
An explanation of one of the fundamental questions confronted by U.S. based multinational corporations: how should the corporation structure its commercial activities in another country? Is it better from a tax perspective to establish a branch or a subsidiary? Are there other alternatives? The speaker will give an overview of major the U.S. and foreign tax consequences arising from a key concept in international taxation, the permanent establishment (i.e., taxable presence), and highlight several important tax considerations that should be taken into account when establishing a foreign presence.
Speaker: **Mark S. Klitgaard**, Esq. International Tax Manager, Deloitte & Touche LLP, San Jose
- [#13] **Compensating the Executive in a Volatile Stock Market**
(1 hour of MCLE, Legal Specialization and CPE Credit)
Sponsored by Income and Other Tax
Advanced techniques of compensating executives, including those of start-ups, in a highly volatile stock market. The presentation will discuss recent proposals to restrict the use of stock options, as well as to deal with options which presently are “under water”.
Speakers: **Jack T. Cornman**, Attorney, CPA, Cornman & Swartz, Irvine
Scott C. Burack, JD, CPA Squar, Milner, Reehl & Williamson, LLP
- 10:00 a.m. - 11:30 a.m. How to Create Zero Estate Tax Plans For Estates From 1 to 10 Million Dollars Through the Use of Charitable Trusts**
- [#14] (1.5 hours of MCLE, Legal Specialization and CPE Credit)
Sponsored by Estate and Gift Tax
Cutting edge charitable planning techniques to create zero estate tax plans. Do not wait for 2010 --rather, create a zero estate tax plan for your clients today. Who knows what Congress will do in 2010? You can use a testamentary unitrust, a testamentary lead trust, and other methods for a zero tax plan. Even a married couple with a \$10,000,000 estate can use a living unitrust, an insurance trust, and an FLP-lead trust in four layers to zero the tax.
Speaker: **Charles Schultz**, J.D. Crescendo Interactive, Camarillo
- [#15] **Navigating the Stormy Seas of the Criminal Search Warrant: Keeping the Client—and You—From Drowning**
(1.5 hours of MCLE, Legal Specialization and CPE Credit)
Co-sponsored by Income and Other Taxes and Executive
An interactive guide on how the civil tax practitioner should respond to the client who tells him or her that agents are at the door with a warrant. Emphasizes of the principle of “first, do no harm”, and discussion of employee contacts with the agents, the preservation of records, the handling of documents subject to the attorney-client privilege and other items. Audience members will play parts in this entertaining and very informative presentation.
Speakers: **Steven Richter**, Goodman & Richter, LLP, San Diego
Hon. Thomas J. Whelan, Federal District Court, Southern District of CA
Richard Speier, Director, Field Operations – Pacific Area, Criminal Investigation Division, Internal Revenue Service, Laguna Niguel
Philip Halpern, Assistant U.S. Attorney
Linda L. Goodman, Goodman & Richter, LLP, San Diego
- 10:00 a.m. - 12:00noon Update on Income Taxes / Federal Legislative Roundtable**
- [#16] (2 hours of MCLE, Legal Specialization and CPE Credit)
Co-sponsored by Income and Other Taxes and Executive Committee
An update on developments in income taxes and a roundtable discussion of federal legislative developments, past, present and proposed. Speakers will include Lisa Rydland, Tax Counsel to the House Committee on Ways and Means and Timothy Hanford, past Tax Counsel to the Committee on Ways and Means.
Speakers: **Stuart Simon**, Hochman, Salkin, Rettig, Toscher & Perez, Beverly Hills
Lisa Rydland, Tax Counsel, Committee on Ways and Means, Washington, D. C.
Timothy L. Hanford, Clark/Bardes Consulting, Washington, D.C.

- [#17] **Coming To and Going From America: Professional Planning and Coordination for Immigration and Expatriation**
 (2 hour MCLE, Legal Specialization and CPE Credit)
 Joint presentation by International Tax and International Law Section
 An review of (a) non-immigrant visas which practitioners may encounter with an emphasis on visas that permit foreign nationals to work lawfully in the U.S., (b) U.S. income and estate and gift tax implications that impact such foreign nationals (and potentially foreign parent companies which send their employees out on U.S. assignment via non immigrant visas), (c) the process of applying for U.S. permanent residence (or, immigrant visas) and U.S. citizenship abroad and in the U.S., and the loss of permanent residence and/or abandonment of U.S. citizenship, and (d) tax implications of U.S. permanent residence and citizenship and consequences of abandonment of U.S. residence and citizenship (expatriation).
Speakers: **Albert S. Golbert**, Golbert & Associates, Los Angeles
Miriam J. Golbert, Christenson, Miller, et. al., Los Angeles
David Hirson, Esq., HirsonWexlerPerl, Newport Beach
Catherine Mayou, Esq., HirsonWexlerPerl, Newport Beach

- 12:00 to 2:00 p.m. Luncheon Program–Ticketed Event \$35.00**
Keynote Speaker:
Nina E. Olson, The National Taxpayer Advocate, Washington D.C.

Presentation of the V. Judson Klein Award to Karen L. Hawkins and the Joanne M. Garvey Award to Melvin S. Spears.

- 2:00 p.m. - 4:00 p.m. The Storm Around Tax Shelters – Are My Clients Targets? Am I?**
 [#18] (2 hours of MCLE, Legal Specialization and CPE Credit)
 Co-sponsored by Tax Policy, Practice and Legislation, Pass-Through Entities, Income and Other Taxes and Corporate Tax
 Identifying and combating “abusive tax shelters” is currently the IRS’ highest compliance priority. This focus has been extended to high income individuals as well as corporations and the government’s enforcement actions against shelter promoters and their clients are making national headlines. A panel of government and private practitioners will address these emerging “hot issues” relating to the government’s actions to address perceived tax shelter activities. Included in the discussion will be existing IRS litigation positions, enforcement actions, legislative and administrative proposals and the impact of these new developments on planning for high income individual and corporate taxpayers.
Speakers: **Charles P. Rettig, Esq.**, Hochman, Salkin, Rettig, Toscher & Perez, P.C., Beverly Hills
Erin M. Collins, Director - Tax Controversy Services, KPMG, LLP, Los Angeles
Robert E. Brazzil, Industry Director, Retailers, Food, Pharmaceuticals and Healthcare, LMSB, Internal Revenue Service, Downers Grove, Illinois
Lisa Rydland, Tax Counsel, Committee on Ways and Means, Washington, D.C.

- 2:15 p.m. - 3:45 p.m. Effectively Guiding Your Clients Through a Trust Administration**
 [#19] (1.5 hours of MCLE, Legal Specialization and CPE Credit)
 Sponsored by Estate and Gift Tax
 An examination of income and estate tax issues surrounding marital deduction subtrust funding. Certain tax opportunities are lost if proper planning is not done at the outset of a trust administration. This program provides an overview of a practical system to efficiently and competently administer a trust at the death of the first spouse and the surviving spouse.
Speaker: **David B. Gaw**, Gaw, Van Male, Napa

- U.S. Tax Planning for the Cross-Border Services of Executives, Entertainers, Athletes and Other Service Providers**
 [#20] (1.5 hours of MCLE, Legal Specialization and CPE Credit)
 Co-sponsored by International Tax and Young Tax Lawyers
 An overview, predominantly from a U.S. perspective, of the major tax issues and structuring opportunities that exist for individual service providers engaging in international transactions. Coverage of (i) “inbound” planning for the foreigner providing services in the United States and (ii) “outbound” planning for the U.S. individual providing services in whole or in part outside the United States. In addition to considering tax issues for corporate executives transferred in or out of the United States, the program will consider the special tax and structuring issues for the services of individuals involved in the entertainment industry, an industry of particular interest to Southern California practitioners, as well as planning for the international activities of sports figures. This program will consider federal tax issues as well as select California/state and foreign law issues.
Speakers: **Pamela M. Jensen, Esq.**, Loeb & Loeb LLP, Los Angeles
Paul A. Sczudlo, Esq., Loeb & Loeb LLP, Los Angeles

- [#21] **Property Tax Exemption for Non-profits: Overview and Current Topics**
 (1.5 hours of MCLE, Legal Specialization and CPE Credit)
 Co-sponsored by Tax Exempt Organizations and State & Local Tax
 An overview of the welfare, church, religious and various other property tax exemptions available to qualifying nonprofit organizations. The panel will also address current hot topics, including the treatment of LLCs and healthcare organizations.
Speakers: **Mary Ann Alonzo**, Tax Counsel, Legal Division, California State Board of Equalization, Sacramento
William Choi, Rodriguez, Horii & Choi, Los Angeles
- 4:00 p.m. 5:30 p.m.** **Preparation of the 706**
 [#22] (1.5 hours of MCLE, Legal Specialization and CPE Credit)
 Sponsored by Estate and Gift Tax
 A practical workshop on preparing Form 706, including organization of the return, how to make the return less likely to be audited, and common deductions missed by accountants.
Speakers: **Stephen P. Kunkel**, CPA, Los Angeles
Virginia Adams, Group Manager, Internal Revenue Service, Laguna Niguel
Wendy E. Hartmann, Esq., Rosenthal and Smith, LLP, Encino
- [#23] **What Lawyers Representing For-Profits Should Know When a Non-profit is on the Other Side of the Bargaining Table**
 (1.5 hours of MCLE, Legal Specialization and CPE Credit)
 Sponsored by Tax Exempt Organizations
 A discussion of issues specific to California nonprofit, Section 501(c)(3) organizations that will affect transactions between for profit and nonprofit parties. Nonprofit entities are regulated by the Internal Revenue Service and the California Attorney General and their assets are subject to charitable trust restrictions, and restrictions on self-dealing or improper insider transactions. In addition, while exempt organizations generally pay no tax, improperly structured transactions may generate unrelated business taxable income. These issues affect decisions in negotiating asset sales, stock sales, joint ventures, leases, management agreements, licenses and other contracts. An understanding of these issues by the attorneys representing each of the entities involved in a transaction will facilitate a more productive negotiation.
Speakers: **Robert Wexler**, Silk, Adler & Colvin, San Francisco
Wendi Horwitz, Attorney General's Office, Los Angeles
- 4:00 p.m. - 6:00 p.m.** **Trouble in Tax Land: the Practitioner's Liability for False Information Provided by the Client**
 [#24] (2.00 hours Legal Ethics MCLE, Legal Specialization and CPE Credit)
 Co-sponsored by Income and Other Taxes, Tax Procedure and Litigation and Tax Policy, Practice and Legislation
 A discussion of the ethical dangers of becoming an unwitting channel for false information from your client to the tax authorities, the duty to disclose this problem after the fact and other ethical problems. The speaker will discuss a hypothetical practitioner who suffers a serious ethical snake-bite as the result of erroneous information provided by the client and will suggest methods of first-aid. Both state ethics rules and Circular 230 will be considered and differences in private and governmental practice will be emphasized.
Speakers: **Curt Harrington**, Long Beach
Cathy Stahler, Cupertino
Denise Rubin, IRS, Criminal Investigation, San Diego
- [#25] **State and Local Tax Roundtable**
 (2 hours of MCLE, Legal Specialization and CPE Credit)
 Co-sponsored by State & Local Tax and Executive Committee
 A discussion by practitioners and taxing agency attorneys of developments in the franchise, sales and use, and property tax areas over the past year.
Speakers: **Charles J. Moll, III**, Morrison & Foerster, LLP, San Francisco
Marcy Jo Mandel, Office of the State Controller, Culver City
John W. Davies, Chief Counsel, Franchise Tax Board, Sacramento
Timothy W. Boyer, Chief Counsel, State Board of Equalization, Sacramento
- 7:00 p.m. - 11:00 p.m. Casino Night with the Tax Bar-Ticketed Event \$40.00**
 Venture off to the Taste of Monte Carlo Casino at the Loews Coronado Bay Resort. Mix with fellow "High Rollers" at this action packed casino night of fun! Professional and friendly dealers will ensure you get a taste of authentic casino style gambling, tips for the novice players and dancing. Take your chances on real casino style games and enjoy occasional payback with exciting raffle prize drawings. It's a real win-win! Ticket includes light dinner and dancing.

SUNDAY, NOVEMBER 3, 2002

7:45 a.m. - 8:45 a.m. Continental Breakfast and MCLE Sign-in

Please indicate your attendance on the registration form.

CONCURRENT PROGRAMS

8:45 a.m. - 9:45 a.m. Caselaw Developments in Due Process and Innocent Spouse

[#26]

(1 hour of MCLE, Legal Specialization and CPE Credit)

Sponsored by Tax Procedure and Litigation

The legislative enactment of the Collection Due Process rules and the expansion of the Innocent Spouse rules by the IRS Restructuring and Reform Act of 1998 left many ambiguities and important issues unresolved that the courts are now addressing. This program provides tax practitioners with a current update of the numerous cases coming out on a day-by-day basis interpreting these important procedural rules.

Speakers: **Basil Boutris**, Vaught & Boutris, Oakland

A. Lavar Taylor, Law Offices of A. Lavar Taylor, a Professional Corporation, Santa Ana

Hon. Stephen J. Swift, United States Tax Court, Washington, D.C.

Tax Issues in Divorce

[#27]

(1 hour of MCLE, Legal Specialization and CPE Credit)

Sponsored by Income & Other Tax

A basic one-hour program on the tax aspects of divorce, covering alimony (treatment to both the payor and the recipient), child support, property settlements, tax treatment of quasi-marital relationships, etc.

Speakers: **Robert W. Wood**, San Francisco

Changes in the Accounting Industry; Impacts on Corporate Tax Practice

[#28]

(1 hour of MCLE, Legal Specialization and CPE Credit)

Sponsored by Corporate Tax

The accounting industry has undergone many changes over the last several years, particularly within the last year. How will these changes affect corporate tax departments and corporate tax practices in the future? How will accounting firms be structured in the future in serving their clients? How will they balance independence with tax consulting? Two senior Big 4 partners will discuss these and other issues as they relate to corporate tax practice.

Speakers: **Edward B. Jajeh**, Chevron Corporation / Tax Dept., San Ramon

Mark Edmunds, Deloitte & Touche, San Francisco

Warren Glettner, PricewaterhouseCoopers, San Francisco

10:00 a.m. - 11:30 a.m. Advanced Planning with Retirement Benefits

[#29]

(1.5 hours of MCLE, Legal Specialization and CPE Credit)

Sponsored by Estate and Gift Tax

This program will review the new 401(a)(9) regulations released April 16, 2002 and their impact on the minimum distribution rules. The advantages and disadvantages of naming a trust as a beneficiary of a retirement plan will be examined. The speaker will share insights on how to effectively administer retirement benefits during a post-death administration.

Speakers: **Randolph Godshall**, Sheppard, Mullin, Richter & Hampton LLP, Costa Mesa

10:00 a.m. - 12:00noon Federal Procedural Roundtable

[#30]

(2 hours of MCLE, Legal Specialization and CPE Credit)

Co-sponsored with Tax Procedure and Litigation

Speakers: **Nina E. Olson (invited speaker)**, National Taxpayer Advocate, Washington, D.C.

Woodford G. Rowland, Rowland & Franceschini, San Rafael

Hon. Stephen J. Swift, United States Tax Court, Washington, D.C.

Richard Speier, Director, Field Operations – Pacific Area, Criminal Investigation Division, Internal Revenue Service, Laguna Niguel

Conference Adjourns

LOEWS CORONADO BAY RESORT INFORMATION

Loews Coronado Bay Resort is the Headquarters to the 2002 Annual Meeting of the California Tax Bars and is located at 4000 Coronado Bay Road, Coronado, California 92118.

The hotel is located within the seaside community of Coronado on a private 15-acre peninsula named Crown Isle. The resort-complex is surrounded by water with each room offering views of the resort's private marina, San Diego-Coronado Bay and the San Diego city skyline. The site is adjacent to the Coronado Cays residential community, four miles from downtown Coronado and 15 miles from San Diego International Airport.

A block of rooms has been reserved for the night of November 1st and 2nd at the rate of \$179 single occupancy and \$215 for double occupancy plus tax per night. Individual group members are entitled to the group rate if reservations and deposit in the amount of the first night's room and tax are made by October 8, 2002. Reservation requests received after the cut-off date will be accepted on a space and rate available basis. To make your reservation, please contact Loews Coronado Bay Resort at 800.815.6397.

Cancellations must be made 7-days prior to arrival.

PROGRAM & TRANSPORTATION INFORMATION

REGISTRATION FEES

The cost to register for the Tax Annual Meeting is \$395 for Taxation Section Members; \$455 for Non-Members; \$120 for Government Employees and Law School Faculty; and \$70 for Law Students. Your registration with check made payable to the State Bar of California, or credit card information must be received no later than October 25, 2002. Registration for the 2002 Annual Meeting of the California Tax Bars will be accepted on-site on a space available basis.

CANCELLATION

A refund less a non-refundable fee of \$50 will be made for all registration cancellations received in writing by October 25, 2002. No refunds will be made for cancellations after that date.

COMMITTEE LUNCHEONS

Friday, November 1, 2002; 12:00 noon -1:15 p.m.
Committees of the State Bar Taxation section will hold informal lunches for members to meet each other and discuss committee business and activities. Lunches are open to all tax professionals. Please indicate which luncheon you will attend by checking the appropriate box on the Program Registration Form. The cost to attend is \$20, which is NOT included in the Conference registration fee.

MCLE/LEGAL SPECIALIZATION INFORMATION

Earn up to 14.5 hours of MCLE credit and 2 Legal Ethics
Attorneys must sign in at the door to each MCLE program to obtain credit. Certificates also will serve as a record of legal specialization credit, if the course is so certified.

CPE CREDIT

Earn up to 14.5 hours of CPE Credit. CPAs must sign in at the door for each program to obtain credit.

SPEAKER SUBSTITUTIONS

Speakers may be substituted due to unavailability or scheduling conflicts. No refunds will be given due to speaker substitution.

AUDIO TAPES

Audio tapes will be available for all educational programs. You can order tapes on-site or any time following the program. For more information contact Versa-Tape at 800.727.8883.

AIRLINE RESERVATIONS

The State Bar of California has a discount program with United Airlines. The discounts are 10% off restricted full coach fares and 5% off any published (often restricted) fares. United's meeting discounts will be applied to the best available fare, subject to any restriction. To make reservations, or for additional information, please call the United Group Meeting Desk at 800.521.4041 and refer to meeting travel account number 550QX.

TRANSPORTATION

San Diego International Airport Shuttles

The following shuttle services are available for your use from the San Diego International Airport to the Loews Coronado Bay Resort:

Cloud 9@ 800.9.SHUTTLE
Airport Shuttle@ 619.234.4403
Xpress Shuttle @800.900.7433

GUEST PARKING

The current charges for overnight parking are as follows:
Valet parking \$16.00
Self parking \$13.00
Non Guest Daily parking \$13.00

FOR MORE INFORMATION

For registration information call Program Registrations at 415.538.2508. For program content call 415.538.2393 or visit our website at: www.calbar.ca.gov.



Keynote Speaker
The National Taxpayer Advocate

Nina E. Olson



Presentation of the
V. Judson Klein Award to

Karen L. Hawkins



and Presentation of the
Joan M. Garvey Award to

Melvin S. Spears

Saturday, November 2

12:00 to 2:00 p.m.

**LUNCHEON
PROGRAM**

Ticketed Event – \$35.00

PROGRAM REGISTRATION FORM 2002 ANNUAL MEETING of the CALIFORNIA TAX BARS

To pre-register, complete the Registration Form and the Course Selector on the next page. Keep a photocopy for your records and mail or fax before October 25th deadline. Please use a separate form for each registrant.

BY FAX 415-538-2368. Credit Card registrants only. If pre-registration is faxed, do not mail original form. Fax registrations cannot be confirmed by telephone. Please keep a copy of your forms.

BY MAIL Program Registrations, State Bar of California, 180 Howard Street, San Francisco, CA 94105-1639

REGISTRATION Please print or type name as it should appear on name badge.

Name: _____ CA State Bar # _____

Firm: _____

Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

E-mail Address: _____ Spouse / Guest Name: _____

Your name and address may be disclosed to other 2002 Annual Meeting attendees and exhibitors/vendors.
Special Assistance call (415) 538-2393

FEES

Check one. (Registration fee includes Friday evening reception, Saturday & Sunday continental breakfasts, all education programs and printed materials.)

☐ State Bar of California Taxation Section Members \$395 ☐ Government Employees / Law School Faculty \$120

☐ Non-Taxation Section Members \$455 ☐ Law Students \$70

☐ Program Written Materials only \$100 = \$ _____

TICKETED EVENTS

Friday, November 1

Committee Luncheons \$20 per person (Please check the committee lunch you wish to attend below.)

☐ [#31] Corporate Tax /Corporate Tax Counsel and Pass-Through Entities

☐ [#32] Estate & Gift Tax

☐ [#33] Tax Procedure & Litigation _____ (#in party) @\$20 per person = \$ _____

☐ [#34]Cocktail Reception (no additional cost) ☐ I will attend _____ (# in party) ☐ I will not attend

☐ [#35]The Prado at Balboa Park Dinner _____ (#in party) @\$60 per person = \$ _____

☐ [#36]Transportation included I will need transportation _____ (# in party)

Saturday, November 2

☐ [#37] Continental Breakfast (no additional cost)
(Check box if you are attending)

☐ [#38] Luncheon (Keynote/Awards) _____ (#in party) @\$35 per person = \$ _____

☐ [#39] Casino Night with the Tax Bar _____ (#in party) @\$40per person = \$ _____

Sunday, November 3

☐ [#40] Continental Breakfast (no additional cost) ☐ I will attend ☐ I will not attend
(Check box if you are attending)

PAYMENT METHOD: Registration fees may be paid by check, Visa or MasterCard (**No other credit cards will be accepted.**)

Make checks payable to the State Bar of California.

TOTAL AMOUNT ENCLOSED/TO BE CHARGED = \$ _____

CREDIT CARD INFORMATION ☐ Visa ☐ MasterCard

Account Number _____ Expiration Date: _____

Cardholder's Name: _____ Cardholder's Signature: _____

[Code 02] For registration information please call (415) 538-2508 • For program content information call (415) 538-2393

COURSE SELECTOR

NAME _____ CA STATE BAR # _____

Please check the appropriate boxes below for the program you wish to attend. Retain a copy for your records.

Fax with Registration Form: Program Registrations 415.538.2368

Friday, November 1, 2002

1:30 p.m. - 3:00 p.m.

- ☐ [1] Tax Issues for Troubled Companies

1:30 p.m. - 3:30 p.m.

- ☐ [2] Current Developments in Transfer Tax Laws
- ☐ [3] Sales Tax Markup Audits - Did I Really Make That Much Profit??

3:45 p.m. - 4:45 p.m.

- ☐ [4] TIC v . Partnership: Understanding Revenue Procedure 2002-22
- ☐ [5] GST Planning After the 2001 Tax Act - Tips and Traps
- ☐ [6] Structuring Nonresident Alien Investment in U. S. Real Property

5:00 p.m. - 6:00 p.m.

- ☐ [7] Information Sharing Among Tax Agencies and Interstate Enforcement of Tax Debts: Just How Long is the Long Arm of the Law, Anyway?
- ☐ [8] Principles of United States and Foreign Tax Law Applicable to International Business Transactions (using the U.S.-Japan and U.S.-U.K Treaties)

5:00p.m. - 6:30 p.m.

- ☐ [9] Effective Entity-Based Planning and Pitfalls -Making Planning Work!

Saturday, November 2, 2002

8:45 a.m. - 9:45 a.m.

- ☐ [10] Tax and Estate Planning for the Elderly and Disabled
- ☐ [11] Going to Sleep as Tenants in Common and Waking Up as Business Partners: When Do You Cross the Line?
- ☐ [12] Choice of Entity in the International Context: Important Tax Consequences Arising from Permanent Establishments
- ☐ [13] Compensating the Executive in a Volatile Stock Market

10:00 a.m. - 11:30 a.m.

- ☐ [14] How to Create Zero Estate Tax Plans For Estates From 1 to 10 Million Dollars Through the Use of Charitable Trusts
- ☐ [15] Navigating the Stormy Seas of the Criminal Search Warrant: Keeping the Client—and You—from Drowning

Saturday, November 2, 2002 (continued)

10:00 a.m. - 12:00 noon

- ☐ [16] Update on Income Taxes / Federal Legislative Roundtable
- ☐ [17] Coming To and Going From America: Professional Planning and Coordination for Immigration and Expatriation

2:00 p.m. - 4:00 p.m.

- ☐ [18] The Storm Around Tax Shelters – Are My Clients Targets? Am I?

2:15 p.m. - 3:45 p.m.

- ☐ [19] Effectively Guiding Your Clients Through a Trust Administration
- ☐ [20] U.S. Tax Planning for the Cross-Border Services of Executives, Entertainers, Athletes and Other Service Providers
- ☐ [21] Property Tax Exemption for Non-profits: Overview and Current Topics
- 4:00 p.m.- 5:30 p.m.**
- ☐ [22] Preparation of the 706
- ☐ [23] What Lawyers Representing For Profits Should Know When a Nonprofit is on the Other Side of the Bargaining Table

4:00 p.m.- 6:00 p.m.

- ☐ [24] Trouble in Tax Land: the Practitioner's Liability for False Information Provided by the Client.
- ☐ [25] State and Local Tax Roundtable

Sunday, November 3, 2002

8:45 a.m. - 9:45 p.m.

- ☐ [26] Caselaw Developments in Due Process and Innocent Spouse
- ☐ [27] Tax Issues in Divorce
- ☐ [28] Changes in the Accounting Industry; Impacts on Corporate Tax Practice

10:00 a.m. - 11:30 a.m.

- ☐ [29] Advanced Planning with Retirement Benefits

10:00 a.m. - 12:00 noon

- ☐ [30] Federal Procedural Roundtable